

REMARKS/ARGUMENTS

Claims 1-26 were presented for examination and are pending in this application. In an Official Office Action dated August 18, 2006, claims 1-26 were rejected. The Applicants thank the Examiner for his consideration and address the Examiner's comments concerning the claims pending in this application below.

Applicants herein amend claim 7 and respectfully traverse the Examiner's prior rejections. No claims are presently canceled and no new claims are presently added. The amendment of claim 7 adds limitations found in the other independent claims and places the claim in condition for appeal thus the changes are believed not to introduce new matter, and their entry is respectfully requested. The claims have been amended to expedite the prosecution and issuance of the application. In making this amendment, Applicants have not and are not narrowing the scope of the protection to which the Applicants consider the claimed invention to be entitled and do not concede, directly or by implication, that the subject matter of such claims was in fact disclosed or taught by the cited prior art. Rather, Applicants reserve the right to pursue such protection at a later point in time and merely seek to pursue protection for the subject matter presented in this submission.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and withdraw them.

Rejection of the Claims under 35 U.S.C. §102(e)

Claims 1-18 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0087657 by Hunt ("Hunt"). Applicants respectfully traverse these rejections in light of the following remarks.

MPEP §2131 provides:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegall Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir.1987). "The identical invention must be shown in as complete detail as contained in the claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

The independent claims as currently amended recite features lacking in the applied references. For example, independent claim 1 (and other independent claims in varying language) recites, among other things, "determining a destination of the back-channel communication based upon the unique remote services identifier of the component."

The Examiner argues that Hunt discloses this aspect of the Applicants' invention in paragraphs 18, 42, 64, and 65. The Applicants traverse this conclusion. Hunt appears to disclose a distributed computer architecture that includes state-caching objects holding server state information. The Examiner correlates the remote procedure call request of Hunt with the claimed forward channel communication, and the server-side object reply with the back-channel communication. See Hunt paragraph 40. As disclosed in paragraph 41 of Hunt the state-caching object for a network element ("SCONE") is created when the request is received. The determination of the destination of the back-channel communication of the Applicants' invention, the reply in Hunt, cannot therefore be based on the unique remote services identifier as claimed by the Applicant. Even assuming that the SCONE in Hunt was the equivalent of the unique remote services identifier in the Applicants' invention, the destination of the reply in Hunt is determined by the request, not the SCONE. While the reply may include a unique remote services identifier (SCONE), the destination of the back-channel

communication is not based on the unique remote services identifier. Accordingly not every element is disclosed by Hunt. Claim 1, and indeed all of the independent claims, are deemed novel over Hunt. As each independent claim is not anticipated by Hunt, each dependent claim, for at least the same reasons, is deemed not anticipated by Hunt.

Furthermore, the rejections of claims 19-26 under 35 U.S.C. § 103(a) are deemed moot in light of the aforementioned remarks as each of these rejections is based on the same citations in Hunt. Each and every element of the rejected claims are not disclosed by the cited references. The *prima facie* case fails. (See MPEP 2143) Reconsideration is respectfully requested.

In view of all of the above, the claims are now believed to be allowable and the case in condition for allowance which action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact Applicants' attorney at the telephone number listed below.

No fee is believed due for this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

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Respectfully submitted,



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